

**United States District Court**

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

JERRY J. MCELROY

v.

HSBC BANK USA, N.A.

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§

Civil Action No. 4:20-CV-251  
(Judge Mazzant/Judge Nowak)

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 5, 2021, the report of the Magistrate Judge (Dkt. #31) was entered containing proposed findings of fact and recommendations that Defendant HSBC Bank USA, N.A.'s Motion for Summary Judgment and Brief in Support Thereof (Dkt. #19) be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendant HSBC Bank USA, N.A.'s Motion for Summary Judgment and Brief in Support Thereof (Dkt. #19) is **GRANTED**. Plaintiff Jerry J. McElroy's claims are **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED.**

**SIGNED this 23rd day of February, 2021.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE